

TON

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA ex rel. : CIVIL ACTION
BRUCE BOISE, et al. : NO. 08-287
:
v. :
:
CEPHALON, INC., et al. :

FILED

OCT - 9 2014

ORDER

AND NOW, this 9th day of October, 2014, upon consideration of the motion to dismiss by defendant Cephalon, Inc. (Dkt. No. 78) and plaintiffs' response (Dkt. No. 89), and consistent with the accompanying memorandum of law, it is ordered that Cephalon's motion is DENIED with regard to the Fentora and Nuvigil claims of Augustine and Dufour and STAYED with regard to plaintiffs' Provigil claims pending the resolution of U.S. ex rel. Carter v. Halliburton Co., 710 F.3d 171 (4th Cir. 2013), cert. granted, 134 S. Ct. 2899 (2014). The parties are directed to advise me promptly of the Supreme Court's final decision in that matter.


THOMAS N. O'NEILL, JR., J.

ENTERED
OCT - 9 2014
CLERK OF COURT

10/9/14 mailed

SC: Legal